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RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[*on the report of the Sixth Committee (A/54/613)*]

54/105. Establishment of the International Criminal Court

The General Assembly,

Recalling its resolutions 47/33 of 25 November 1992, 48/31 of 9 December 1993, 49/53 of 9 December 1994, 50/46 of 11 December 1995, 51/207 of 17 December 1996, 52/160 of 15 December 1997 and 53/105 of 8 December 1998,

Noting that the Rome Statute of the International Criminal Court was adopted on 17 July 1998[1] and is open for signature in New York at United Nations Headquarters until 31 December 2000, and taking note of the Final Act of the United Nations Diplomatic Conference of Plenipotentiaries on the Establishment of an International Criminal Court done at Rome on 17 July 1998,[2]

Noting in particular that the Conference decided to establish a Preparatory Commission for the Court[3] and that the Commission has held three sessions, from 16 to 26 February, 26 July to 13 August and 29 November to 17 December 1999,

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[1] A/CONF.183/9.

[2] A/CONF.183/10.

[3] Ibid., annex I.

Bearing in mind the mandate of the Preparatory Commission, as set out in resolution F adopted by the Conference, with regard to the preparation of proposals for practical arrangements for the establishment and coming into operation of the Court, including the finalization before 30 June 2000 of the draft texts of the rules of procedure and evidence and of the elements of crimes,[3]

Recalling, with regard to the future work of the Preparatory Commission and related working groups, the specific arrangements agreed upon by the Commission and referred to in paragraph 8 of the summary of the proceedings of its second session,[4]

Recognizing the continuing need for making available adequate resources and secretariat services to the Preparatory Commission in order to enable it to discharge its functions efficiently and expeditiously,

Emphasizing the need to make the necessary arrangements for the commencement of the functions of the International Criminal Court in order to ensure its effective operation,

Noting that a number of States have deposited their instruments of ratification and that a significant and growing number of States have signed the Rome Statute,

1. *Reiterates* the historic significance of the adoption of the Rome Statute of the International Criminal Court;[1]

2. *Calls upon* all States to consider signing and ratifying the Rome Statute, and encourages efforts aimed at promoting awareness of the results of the Conference and of the provisions of the Statute;

3. *Requests* the Secretary-General to convene the Preparatory Commission, in accordance with resolution F adopted by the Conference,[3] from 13 to 31 March, 12 to 30 June and 27 November to 8 December 2000, to carry out the mandate in that resolution and, in that connection, to discuss ways to enhance the effectiveness and acceptance of the Court;

4. *Also requests* the Secretary-General to make available to the Preparatory Commission secretariat services, including the preparation of working documents if so requested by the Commission, to enable it to perform its functions;

5. *Further requests* the Secretary-General to invite, as observers to the Preparatory Commission, representatives of organizations and other entities that have received a standing invitation from the General Assembly, pursuant to its relevant resolutions,[5] to participate in the capacity of observers in its sessions and work, and also to invite as observers to the Commission representatives of interested regional intergovernmental organizations and other interested international bodies, including the international tribunals for the former Yugoslavia and Rwanda;

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[4] See PCNICC/1999/L.4/Rev.1 and Corr.1.

[5] Resolutions 253 (III), 477 (V), 2011 (XX), 3208 (XXIX), 3237 (XXIX), 3369 (XXX), 31/3, 33/18, 35/2, 35/3, 36/4, 42/10, 43/6, 44/6, 45/6, 46/8, 47/4, 48/2, 48/3, 48/4, 48/5, 48/237, 48/265, 49/1, 49/2, 50/2, 51/1, 51/6, 51/204, 52/6, 53/5, 53/6, 53/216, 54/5 and 54/10.

6. *Notes* that non-governmental organizations may participate in the work of the Preparatory Commission by attending its plenary and other open meetings, in accordance with the rules of procedure of the Commission, receiving copies of the official documents and making available their materials to delegates;

7. *Encourages* States to make voluntary contributions to the trust funds established pursuant to General Assembly resolutions 51/207 and 52/160, the mandates of which were expanded pursuant to Assembly resolution 53/105, towards meeting the costs of the participation in the work of the Preparatory Commission of the least developed countries and of those developing countries not covered by the trust fund established pursuant to resolution 51/207;

8. *Requests* the Secretary-General to report to the General Assembly at its fifty-fifth session on the implementation of the present resolution;

9. *Decides* to include in the provisional agenda of its fifty-fifth session the item entitled "Establishment of the International Criminal Court".

76th plenary meeting
9 December 1999